



PEABODY ENERGY
Peabody Plaza
701 Market Street
St. Louis, MO 63101-1826
314.342.3400

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August 16, 2011

Mr. Paul Stoetzer
Federal Election Commission
Campaign Finance Analyst
Reports Analysis Division
999 E Street, NW
Washington, DC 20463

Identification Number: C00110478

Reference: July 2011 Monthly Report (6/1/2011 – 6/30/2011)


Dear Mr. Stoetzer:

This response is in reference to your letter dated August 8, 2011 concerning a campaign contribution to "Friends of John Boehner". The report indicated this contribution was for a Primary Election for the year 2010; the election year should have been entered as 2012.

The report has been amended.

Please accept my apology for this typo and do not hesitate to contact me should you have questions

Sincerely,


Walter L. Hawkins, Jr.
Peabody PAC Treasurer

11030660322



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 8, 2011

WALTER L. HAWKINS, JR., TREASURER
PEABODY ENERGY CORPORATION POLITICAL
ACTION COMMITTEE (PEABODY PAC)
701 MARKET STREET
ST. LOUIS, MO 63101

Response Due Date
09/12/2011

IDENTIFICATION NUMBER: C00110478

REFERENCE: JULY MONTHLY REPORT (06/01/2011 - 06/30/2011)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2010 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign. (11 CFR §§110.1(b)(3) and 110.2(b)(3))

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund. (11 CFR §103.3(b)(1) and (3))

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PEABODY ENERGY CORPORATION POLITICAL ACTION COMMITTEE (PEABODY PAC)

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1393.

Sincerely,



Paul Stoetzer
Campaign Finance Analyst
Reports Analysis Division

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Contribution after Election Date

Peabody Energy Corporation Political Action Committee (Peabody PAC) (C00110478)

| Recipient Name | Date | Amount | Election | Election State - Date |
|-------------------------|--------|------------|----------|--------------------------|
| FRIENDS OF JOHN BOEHNER | 6/7/11 | \$5,000.00 | P2010 | OH - 5/4/10 |

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

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|---|---------------------------------|
| <input type="checkbox"/> Hand Delivered | Date of Receipt |
| <input type="checkbox"/> USPS First Class Mail | Postmarked |
| <input type="checkbox"/> USPS Registered/Certified | Postmarked (R/C) |
| <input type="checkbox"/> USPS Priority Mail | Postmarked |
| Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/> | |
| <input type="checkbox"/> USPS Express Mail | Postmarked |
| <input type="checkbox"/> Postmark Illegible | |
| <input type="checkbox"/> No Postmark | |
| <input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <i>fed Ex</i> Shipping Date <i>8/30/11</i> | |
| Next Business Day Delivery <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Received from House Records & Registration Office | Date of Receipt |
| <input type="checkbox"/> Received from Senate Public Records Office | Date of Receipt |
| <input type="checkbox"/> Received from Electronic Filing Office | Date of Receipt |
| <input type="checkbox"/> Other (Specify): | Date of Receipt or Postmarked |
|  PREPARER | <i>8/31/11</i> DATE PREPARED |

(3/2005)

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